

Amendments to the Claims:

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A refill case comprising:

a middle plate ~~(21)-in the~~ having a shape of a bottomed short cylinder containing a cosmetic item ~~(K) and having item,~~ the middle plate having an outward brim (23) ~~along the upper periphery of said plate (21); an upper periphery of the plate;~~

a case ~~body (2);~~ body, which accepts and keeps ~~said the~~ middle plate (21) in a storage cylinder (3) ~~under the condition that said the brim (23) sits on the on a top flat rim of this the storage eylinder (3); cylinder; and~~

a cap (9), cap, which is fitted around ~~said the~~ case body (2) detachably in screw engagement, and which is used to seal ~~said the~~ middle plate (21) through tight contact of ~~said the~~ brim (23) with a ring-shaped gasket (16) made of a soft, elastic material, ~~said the~~ gasket (16) ~~being embraced by the by an~~ underside of ~~roof (10) of a roof~~ and fitted thereto in an undetachable manner but in a state having play relative to ~~said roof (10); the roof,~~

wherein the gasket includes a ring-shaped main gasket portion, which elastically comes in tight contact with the brim and a ring-shaped fitting portion, the ring-shaped fitting portion being disposed on an inward side of the main gasket portion and used for fitting to the cap,

wherein the gasket is fitted to the cap in an undetachable manner but in a state having play relative to the roof, while the fitting portion is disposed between the roof and a gland, the gland being fixed to the roof, and

wherein a butting wall (11) is disposed on either one of ~~said the~~ case body (2) or ~~said the~~ cap (9) so as to butt against the other one at a position in which screw engagement of ~~said~~

the cap (9)-with the case body (2)-is complete and in which soft contact deformation of ~~said~~
the gasket (16)-is controlled within a range of elastic deformation.

2. (Currently Amended) The refill case according to Claim 1, wherein rubber is used as a soft, elastic material for molding ~~said gasket (16)~~-the gasket.

3. (Currently Amended) The refill case according to Claim 1, wherein the case body (2)-has a double wall structure in which a storage cylinder (3)-is folded at the top flat rim to form an outward screw ~~eylinder (7)~~-cylinder, which is used for the screw engagement with the ~~cap (9)~~-cap, and wherein a foot portion (8)-is disposed at the lower end of ~~said the~~ screw ~~eylinder (7)~~-cylinder.

4. (Currently Amended) The refill case according to Claim 1, wherein the short butting wall (11)-hangs down from underside of the roof (10)-and butts against the top surface of the brim (23)-of the middle ~~plate (21)~~-plate, which is stored and held in the case ~~body~~ (2)-body.

5. (Currently Amended) The refill case according to Claim 1, wherein the butting wall (11)-butts against the top flat rim of the case ~~body (2)~~-body.

6. (Canceled)

7. (Currently Amended) The refill case according to Claim 2, wherein the case body (2)-has a double wall structure in which a storage cylinder (3)-is folded at the top flat rim to form an outward screw ~~eylinder (7)~~-cylinder, which is used for the screw engagement with the ~~cap (9)~~-cap, and wherein a foot portion (8)-is disposed at the lower end of ~~said the~~ screw ~~eylinder (7)~~-cylinder.

8. (Currently Amended) The refill case according to Claim 2, wherein the short butting wall (11)-hangs down from underside of the roof (10)-and butts against the top surface of the brim (23)-of the middle ~~plate (21)~~-plate, which is stored and held in the case ~~body~~ (2)-body.

9. (Currently Amended) The refill case according to Claim 3, wherein the short butting wall (11) hangs down from underside of the roof (10) and butts against the top surface of the brim (23) of the middle ~~plate (21)~~, plate, which is stored and held in the case ~~body (2)~~ body.

10. (Currently Amended) The refill case according to Claim 2, wherein the butting wall (11) butts against the top flat rim of the case ~~body (2)~~ body.

11. (Currently Amended) The refill case according to Claim 3, wherein the butting wall (11) butts against the top flat rim of the case ~~body (2)~~ body.

12-15. (Canceled)

Figure 1